



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 8**

1595 Wynkoop Street
DENVER, CO 80202-1129
Phone 800-227-8917
<http://www.epa.gov/region08>

Ref: ENF-L

January 26, 2011

VIA CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Zurich Insurance
1400 American Lane
Schaumburg, Illinois 60196

Re: Request for Information dated November 19, 2010
Gilt Edge Mine Site/Nelson Tunnel/Commodore Waste Rock Pile Site

Dear Sir or Madam:

On November 19, 2010, the United States Environmental Protection Agency (EPA) sent you a letter requesting information (Information Request Letter) regarding your connection to Congdon and Carey, Congdon and Carey Ltd 3, Congdon and Carey Ltd 5, Minerals Engineering Company, and CoCa Mines Inc., former owners and/or operators of the Gilt Edge Mine Superfund Site located in Lawrence County, South Dakota and/or the Nelson Tunnel/Commodore Waste Rock Pile Superfund Site. The return receipt indicates that you received this Information Request Letter on December 1, 2010. Your response to the Information Request Letter was due on or before December 31, 2010. To date, EPA has not received any such response.

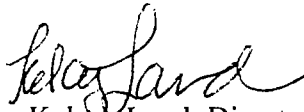
Your compliance with the Information Request Letter is required by law. Section 104 of Comprehensive Environmental Response, Compensation, and Liability Act, 42 U.S.C. Section 9604, authorizes EPA to pursue penalties of up to \$37,500 per day for failure to timely respond. In addition, providing false, fictitious or fraudulent statements or representations may subject you to criminal penalties under 18 U.S.C. Section 1001.

I have enclosed a copy of the Information Request Letter and request an immediate response. Your response should be mailed to:

Sharon Abendschan, Enforcement Specialist
U.S. EPA Region 8
Technical Enforcement Program, 8ENF-RC
1595 Wynkoop Street
Denver, Colorado 80202-1129

If you refuse to comply, EPA will consider taking enforcement action that may include the imposition of civil penalties of up to \$37,500 per day for each day of non-compliance. If you have any questions, please contact Andrea Madigan, EPA Enforcement Attorney, at (303) 312-6904. Please give this matter your immediate attention.

Sincerely,

A handwritten signature in cursive script, appearing to read "Kelcey Land".

Kelcey Land, Director
Technical Enforcement Program,
Office of Enforcement, Compliance,
And Environmental Justice

A handwritten signature in cursive script, appearing to read "Matt Cohn".

Matthew Cohn, Supervisory Attorney
Legal Enforcement Program,
Office of Enforcement, Compliance,
And Environmental Justice

Enclosure

7009 3410 0000 2592 8147

U.S. Postal Service™	
CERTIFIED MAIL™ RECEIPT	
(Domestic Mail Only; No Insurance Coverage Provided)	
For delivery information visit our website at www.usps.com	
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Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
Zurich Insurance 1400 American Lane Schaumburg, Illinois 60196	
PS Form 3800, August 2005 See Reverse for Instructions	

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
<ul style="list-style-type: none">■ Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.■ Print your name and address on the reverse so that we can return the card to you.■ Attach this card to the back of the mailpiece, or on the front if space permits.	<div>A. Signature X Andrew Pietka <input type="checkbox"/> Agent <input type="checkbox"/> Addressee</div> <div>B. Received by (Printed Name) ANDREW PIETKA</div> <div>C. Date of Delivery JAN 31 2011</div> <div>D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No</div> <div>3. Service Type <input type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail <input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.</div> <div>4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes</div>
1. Article Addressed to: Zurich Insurance 1400 American Lane Schaumburg, Illinois 60196	
2. Article Number (Transfer from service label)	7009 3410 0000 2592 8147